

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 18-cr-0295 (WMW/ECW)

Plaintiff,

ORDER

v.

Jeremy Ryan Myhre,

Defendant.

This matter is before the Court on Defendant Jeremy Ryan Myhre's motion for an extension of the deadline to file a notice of appeal. (Dkt. 121.)

"In a criminal case, a defendant's notice of appeal must be filed in the district court within 14 days after . . . entry of either the judgment or the order being appealed." Fed. R. App. P. 4(b)(1)(A)(i). This Court entered a sentencing judgment in this case on September 29, 2021. As such, Myhre's deadline to file a notice of appeal of the sentencing judgment is October 13, 2021. A district court may extend the time to file a notice of appeal "for a period not to exceed 30 days from the expiration of the time otherwise prescribed by this Rule 4(b)" if the district court makes "a finding of excusable neglect or good cause." Fed. R. App. P. 4(b)(4).

Myhre currently is in custody awaiting the designation of a place of confinement by the Federal Bureau of Prisons (BOP). Myhre's counsel contends that, in light of current restrictions on attorney access to detainees because of the ongoing COVID-19 pandemic, Myhre needs additional time "to allow for the circulation of the sentencing documents in

this case and the consideration and discussion of the appellate issues they present.” Consequently, Myhre seeks the full 30-day extension permitted under Rule 4(b)(4) of the Federal Rules of Appellate Procedure. On this record, the Court concludes that Myhre has demonstrated good cause for a 30-day extension of time to file a notice of appeal in this case.

ORDER

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. Defendant Jeremy Ryan Myhre’s motion for an extension of the deadline to file a notice of appeal, (Dkt. 121), is **GRANTED**.
2. Myhre may file a notice of appeal no later than November 12, 2021. *See* Fed. R. App. P. 4(b)(4).

Dated: October 6, 2021

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge